

Sectoral Agreement IPARD II	AMENDED Sectoral Agreement IPARD II
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Modification of the Sectoral Agreement for IPARD II

1	<p>Article 33 (3) The following expenditure shall not be eligible under the IPARD II: ... (e) operating costs, except where duly justified by the nature of the measure in the IPARD II programme; ... (k) any maintenance, depreciation and rental costs, except where duly justified by the nature of the measure in the IPARD II programme;</p>	<p>Article 33 (3) The following expenditure shall not be eligible under the IPARD II: ... (e) operating costs, except where duly justified by the nature of the measure in the IPARD II programme or in the case of force majeure or exceptional circumstances. ... (k) any maintenance, depreciation and rental costs, except where duly justified by the nature of the measure in the IPARD II programme or in the case of force majeure or exceptional circumstances.</p>
2	<p>Article 33(5) Notwithstanding paragraphs (2) and (3), in the case of investments: a) construction or improvement of immovable property shall be eligible up to the market value of the asset, as established in accordance with article 11(2)(f) and article 11 (3)(d); b) the purchase of new machinery and equipment including computer software, shall be eligible, up to the market value of the asset, as established in accordance with Article 11(2)(f) and Article 11(3)(d); c) general costs linked to expenditure referred to in points (a) and (b) such as architects', engineers' and other consultation fees and feasibility studies shall be eligible up to a ceiling of 12% of the costs referred to in those points (a) and (b) under the following conditions:</p>	<p>Article 33(5) Notwithstanding paragraphs (2) and (3), in the case of investments: a) construction or improvement of immovable property shall be eligible up to the market value of the asset, as established in accordance with article 11(2)(f) and article 11 (3)(d); b) the purchase of new machinery and equipment including computer software, shall be eligible, up to the market value of the asset, as established in accordance with Article 11(2)(f) and Article 11(3)(d); c) general costs linked to collective projects, that could additionally include studies, marketing and development of the products concerned and animation costs (all to be specified in the List of eligible Expenditures (LEE) and general costs linked to expenditure referred to in points (a) and (b) such as architects', engineers' and other consultation fees and feasibility studies shall be eligible up to a ceiling of 12% of the costs referred to in those points (a) and (b) under the following conditions.</p>

3	<p>Aricle 41 (9)</p> <p>The NAO and the IPARD Agency shall ensure timely treatment of payment requests by recipients. In cases where the interval between receipt of the payment request and issuing of the payment order exceeds six months, Union co-financing may be reduced in accordance with the following rules:</p> <p>a) where expenditure effected after the deadlines is equal or less than 4% of the expenditure effected before the deadlines, no reduction shall be made , irrespective of the number of months’delay;</p> <p>b) where expenditure effected after the deadlines is more than 4% of the expenditure effected before the deadlines, all further expenditure effected with a delay of up to:</p>	<p>Aricle 41 (9)</p> <p>The NAO and the IPARD Agency shall ensure timely treatment of payment requests by recipients. In cases where the interval between receipt of the payment request and issuing of the payment order exceeds six months, Union co-financing may be reduced in accordance with the following rules:</p> <p>a) where expenditure effected after the deadlines is equal or less than 5% of the expenditure effected before the deadlines, no reduction shall be made , irrespective of the number of months’delay;</p> <p>b) where expenditure effected after the deadlines is more than 5% of the expenditure effected before the deadlines, all further expenditure effected with a delay of up to:</p>
4	<p>Article 52(13)</p> <p>All final documents of IPARD II monitoring committee meetings shall be made public.</p>	<p>Article 52(13)</p> <p>All final documents of IPARD II monitoring committee meetings shall be made public and the IPARD II monitoring committees shall meet at least twice per 12 months. Ad hoc meetings may also be convened.</p>
5	<p>Annex 2, section 3 D. Procedures for advances and guarantees (if applicable)</p> <p>Payments of advances qualify as eligible expenditure up to 10% of the public aid related to the project and shall be subject to the establishment of a bank guarantee or an equivalent guarante corresponding to 110 % of the amount of the advance. Advances cannot be paid in combination with pre-financing as provided for in article 11 (3)(a).</p>	<p>Annex 2, section 3 D. Procedures for advances and guarantees (if applicable)</p> <p>Payments of advances qualify as eligible expenditure up to 50% of the public aid related to the project and shall be subject to the establishment of a bank guarantee or an equivalent guarante corresponding to 110 % of the amount of the advance. Advances cannot be paid in combination with pre-financing as provided for in article 11 (3)(a).</p>
		<p>Annex 2, section 3 D. Procedures for advances and guarantees (if applicable)</p>

6		<p>Payments of advances, for the measure 9 ‘technical assistance’ qualify as eligible expenditures up to 90 % of the public aid related to the operation and shall not be subject to the establishment of a bank guarantee or an equivalent guarantee.</p>
7	<p>Annex 4, section 1 (c) ‘young farmer’ means a farmer under 40 years of age at the time when the decision to grant support is taken possessing adequate occupational skills and competence.</p>	<p>Annex 4, section 1 (c) ‘young farmer’ means a farmer under 40 years of age at the time of submitting the application, possessing adequate occupational skills and competence. (d) collective investments’ means investments by producer, organizations in:</p> <ul style="list-style-type: none"> • sharing facilities, machines, equipment and other infrastructure for production and processing of agricultural products up to the EU standards or for quality products; • establishing and development of short supply chains and local markets.
8	<p>Annex 4, section 3 An additional 10% can be given for investments related to effluent and waste management in:</p> <ul style="list-style-type: none"> – physical assets of agricultural holdings, – physical assets concerning processing and marketing of agriculture and fishery products. 	<p>Annex 4, section 3 An additional 10% can be given for</p> <p>(a) investments related to effluent and waste management in:</p> <ul style="list-style-type: none"> ○ physical assets of agricultural holdings, ○ physical assets concerning processing and marketing of agriculture and fishery products. <p>- collective investments’</p> <ul style="list-style-type: none"> ○ physical assets of agricultural holdings, ○ physical assets concerning processing and marketing of agriculture and fishery products. ○ farm diversification and business development.
	<p>Annex IV, section 5, Investments in physical assets of agricultural holdings. ... No later than before final payment of the investment, the entire holding must comply with appropriate national minimum standards in force regarding environmental protection and animal welfare. If the</p>	<p>Annex IV, section 5, Investments in physical assets of agricultural holdings. ... No later than before final payment of the investment, the entire holding must comply with appropriate national minimum standards in force regarding environmental protection and animal welfare. If the national standards are</p>

9	<p>national standards are similar to the Union standards, in duly justified cases, derogation from this rule may be approved by the Commission This must be clearly written in the IPARD II Programme. The investment when concluded must respect the relevant Union standards as regards environmental protection and animal welfare. ...</p>	<p>similar to the Union standards, in duly justified cases, derogation from this rule may be approved by the Commission This must be clearly written in the IPARD II Programme. In case, a ‘collective investment’ is implemented by a separate legal entity on behalf of the members/shareholders, this separate legal entity must comply with appropriate national minimum standards in force regarding environmental protection and animal welfare and not the members/shareholders of this separate legal entity The investment when concluded must respect the relevant Union standards as regards environmental protection and animal welfare. ...</p>
10	<p>Annex IV, section 5, Investments in physical assets concerning processing and marketing of agricultural and fishery products. ...Not later than at the end of the project (before a final payment), the entire enterprise must comply with the main relevant national minimum standards in force regarding environmental protection, public health animal welfare, and occupational safety. If the national standards based on Union standards are particularly demanding, and only in duly justified cases, derogation from this rule may be granted by the Commission. This must be clearly written in the IPARD II programme. The relevant EU standards applicable to the investment will be attained at the end of the project. ...</p>	<p>Annex IV, section 5, Investments in physical assets concerning processing and marketing of agricultural and fishery products. ...Not later than at the end of the project (before a final payment), the entire enterprise must comply with the main relevant national minimum standards in force regarding environmental protection, public health animal welfare, and occupational safety. If the national standards based on Union standards are particularly demanding, and only in duly justified cases, derogation from this rule may be granted by the Commission. This must be clearly written in the IPARD II programme. In case, a ‘collective investment’ is implemented by a separate legal entity on behalf of the members/shareholders, this separate legal entity must comply with appropriate national minimum standards in force regarding environmental protection and animal welfare and not the members/shareholders of this separate legal entity The relevant EU standards applicable to the investment will be attained at the end of the project. ...</p>
	<p>Annex IV, section 5, Technical Assistance The following actions are eligible provided they are covered by the indicative technical assistance action plan:</p>	<p>Annex IV, section 5, Technical Assistance The following actions are eligible provided they are covered by the indicative technical assistance action plan:</p>

11	(a) ...	(a) ... (k) expenditure associated with the establishment and operation of pilot projects in setting up cooperation in short value chains and value chains for quality products.
12	<p>Annex 8, Section 1 The list of operations referred to in Article 29(3) shall contain the following data fields:</p> <ul style="list-style-type: none"> – recipient name (only of legal entities; no natural persons shall be named), – operation name, – operation summary, – operation start date, – operation end date (expected date for physical completion or full implementation of the operation), – total eligible expenditure allocated to the operation, – Union co-financing rate as per priority axis, – operation postcode; or other appropriate location indicator, – country, – name of category of intervention for the operation, – date of last update of the list of operations. 	<p>Annex 8, Section 1 The list of operations referred to in Article 29(3) shall contain the following data fields:</p> <ul style="list-style-type: none"> – recipient name (only of legal entities; no natural persons shall be named), – operation name, – operation summary, – operation start date, – operation end date (expected date for physical completion or full implementation of the operation), – total eligible expenditure allocated to the operation, – Union co-financing rate – operation postcode; or other appropriate location indicator, – country, – name of category of intervention for the operation, – date of last update of the list of operations.
13	<p>Annex 8, section 3.2. Information measures for recipients 1. The operating structure shall inform recipients that acceptance of funding constitutes an acceptance of their inclusion in the list of operations published in accordance with Article 29(2) of this Agreement. ...</p>	<p>Annex 8, section 3.2. Information measures for recipients 1. The operating structure shall inform recipients that acceptance of funding constitutes an acceptance of their inclusion in the list of operations published in accordance with Article 29(3) of this Agreement. ...</p>